



DEPARTMENT OF COMMERCE

**International Trade Administration**

**[A-469-815]**

**Finished Carbon Steel Flanges from Spain: Final Results of Antidumping Duty**

**Administrative Review; 2019-2020**

**AGENCY:** Enforcement and Compliance, International Trade Administration, Department of Commerce.

**SUMMARY:** The Department of Commerce (Commerce) determines that sales of finished carbon steel flanges (flanges) from Spain were made at less than normal value (NV) during the period of review (POR) June 1, 2019, through May 31, 2020.

**DATES:** Applicable [INSERT DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

**FOR FURTHER INFORMATION CONTACT:** Marc Castillo or Mark Flessner, AD/CVD Operations, Office VI, Enforcement and Compliance, International Trade Administration, Department of Commerce, 1401 Constitution Avenue, NW, Washington, DC 20230; telephone: (202) 482-0519 or (202) 482-6312, respectively.

**SUPPLEMENTARY INFORMATION:**

Background

On July 7, 2021, Commerce published the *Preliminary Results* and invited interested parties to comment.<sup>1</sup> These final results cover eight companies for which an administrative review was initiated and not rescinded. On August 17, 2021, Weldbend Corporation and Boltex Manufacturing Co., L.P. (collectively, the petitioners) and ULMA Forja, S.Coop (ULMA) submitted their case briefs.<sup>2</sup> On August 24, 2021, the petitioners and ULMA submitted their

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<sup>1</sup> See *Finished Carbon Steel Flanges from Spain: Preliminary Results of Antidumping Duty Administrative Review; 2019–2020*, 86 FR 35745 (July 7, 2021) (*Preliminary Results*).

<sup>2</sup> See Petitioners' Letter, "Finished Carbon Steel Flanges from Spain: Petitioners' Case Brief," dated August 17, 2021; and ULMA's Letter, "ULMA Forja, S. Coop's Case Brief: Finished Carbon Steel Flanges from Spain, POR 3," dated August 17, 2021.

rebuttal briefs.<sup>3</sup> On October 27, 2021, Commerce extended the deadline for these final results, until December 30, 2021.<sup>4</sup> Commerce conducted this review in accordance with section 751(a)(1)(B) of the Tariff Act of 1930, as amended (the Act).

#### Scope of the *Order*<sup>5</sup>

The scope of the *Order* covers finished carbon steel flanges from Spain. A full description of the scope of the *Order* is contained in the Issues and Decision Memorandum.<sup>6</sup>

#### Analysis of Comments Received

All issues raised in the case and rebuttal briefs filed by parties in this review are addressed in the Issues and Decision Memorandum. A list of the issues addressed in the Issues and Decision Memorandum is in the appendix to this notice. The Issues and Decision Memorandum is a public document and is on file electronically via Enforcement and Compliance's Antidumping and Countervailing Duty Centralized Electronic Service System (ACCESS). ACCESS is available to registered users at <https://access.trade.gov>. In addition, a complete version of the Issues and Decision Memorandum can be accessed at <https://access.trade.gov/public/FRNoticesListLayout.aspx>.

#### Changes Since the Preliminary Results

Based on our analysis of the comments received, and for the reasons explained in the Issues and Decision Memorandum, we made certain changes from the *Preliminary Results*.

#### Final Results of Administrative Review

For these final results, we determine that the following weighted-average dumping margins exist for the period June 1, 2019, through May 31, 2020:

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<sup>3</sup> See Petitioners' Letter, "Finished Carbon Steel Flanges from Spain: Petitioners' Rebuttal Case Brief," dated August 24, 2021; and ULMA's Letter, "ULMA Forja, S. Coop's Rebuttal Brief: Finished Carbon Steel Flanges from Spain, POR 3," dated August 24, 2021.

<sup>4</sup> See Memorandum, "Finished Carbon Steel Flanges from Spain: Extension of Time Limit for Final Results of Antidumping Duty Administrative Review, 2019-2020," dated October 27, 2021.

<sup>5</sup> See *Finished Carbon Steel Flanges from Spain: Antidumping Duty Order*, 82 FR 27229 (June 14, 2017) (*Order*).

<sup>6</sup> See Memorandum, "Issues and Decisions Memorandum for the Final Results of the Antidumping Duty Administrative Review: Finished Carbon Steel Flanges from Spain; 2019-2020," dated concurrently with, and hereby adopted by, this notice (Issues and Decision Memorandum).

<b>Exporter/Manufacturer</b>	<b>Weighted-Average Dumping Margin (percent)</b>
ULMA Forja, S.Coop	5.76
<b>Rate Applicable to the Following Non-Selected Companies:</b>	
Aleaciones De Metales Sinterizados S.A.	5.76
Central Y Almacenes	5.76
Farina Group Spain	5.76
Friedrich Geldbach GmbH	5.76
Grupo Cunado	5.76
Transglory S.A.	5.76
Tubacero, S.L.	5.76

#### Rate for Non-Selected Respondents

For the rate for non-selected respondents in an administrative review, generally, Commerce looks to section 735(c)(5) of the Act, which provides instructions for calculating the all-others rate in a market economy investigation, for guidance. Under section 735(c)(5)(A) of the Act, the all-others rate is normally “an amount equal to the weighted-average of the estimated weighted-average dumping margins established for exporters and producers individually investigated, excluding any zero or *de minimis* margins, and any margins determined entirely {on the basis of facts available}.” In this segment of the proceeding, we calculated a margin for ULMA that was not zero, *de minimis*, or based on facts available. Accordingly, we have applied the margin calculated for ULMA to the non-individually examined respondents.

#### Disclosure

Commerce intends to disclose the calculations performed in connection with these final results of review to parties in this review within five days after public announcement of the final results or, if there is no public announcement, within five days of the date of publication of this notice in the *Federal Register*, in accordance with 19 CFR 351.224(b).

#### Assessment Rates

Commerce shall determine and U.S. Customs and Border Protection (CBP) shall assess antidumping duties on all appropriate entries of subject merchandise in accordance with the final results of this review. For ULMA, we calculated importer-specific assessment rates on the basis of the ratio of the total amount of dumping calculated for each importer's examined sales and the total entered value of those sales in accordance with 19 CFR 351.212(b)(1). Where an importer-specific assessment rate is *de minimis* (*i.e.*, less than 0.5 percent), the entries by that importer will be liquidated without regard to antidumping duties. For entries of subject merchandise during the POR produced by ULMA for which it did not know its merchandise was destined for the United States, we will instruct CBP to liquidate unreviewed entries at the all-others rate if there is no rate for the intermediate company(ies) involved in the transaction.<sup>7</sup> For the companies identified above that were not selected for individual examination, we will instruct CBP to liquidate entries at the rates established in these final results of review.

Commerce intends to issue assessment instructions to CBP no earlier than 35 days after the date of publication of the final results of this review in the *Federal Register*. If a timely summons is filed at the U.S. Court of International Trade, the assessment instructions will direct CBP not to liquidate relevant entries until the time for parties to file a request for a statutory injunction has expired (*i.e.*, within 90 days of publication).

#### Cash Deposit Requirements

The following cash deposit requirements for estimated antidumping duties will be effective upon publication of this notice for all shipments of flanges from Spain entered, or withdrawn from warehouse, for consumption on or after the date of publication as provided by section 751(a)(2) of the Act: (1) the cash deposit rate for the companies subject to this review will be equal to the company-specific weighted-average dumping margin established in the final results of the review; (2) for merchandise exported by producers or exporters not covered in this

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<sup>7</sup> See *Antidumping and Countervailing Duty Proceedings: Assessment of Antidumping Duties*, 68 FR 23954 (May 6, 2003).

review but covered in a prior completed segment of the proceeding, the cash deposit rate will continue to be the company-specific rate published in the completed segment for the most recent period; (3) if the exporter is not a firm covered in this review, a prior review, or the original investigation, but the producer has been covered in a prior completed segment of this proceeding, then the cash deposit rate will be the rate established in the completed segment for the most recent period for the producer of the merchandise; (4) the cash deposit rate for all other producers or exporters will continue to be 18.81 percent, the all-others rate established in the less-than-fair-value investigation of this proceeding.<sup>8</sup> These cash deposit requirements, when imposed, shall remain in effect until further notice.

#### Notification to Importers

This notice serves as a final reminder to importers of their responsibility under 19 CFR 351.402(f)(2) to file a certificate regarding the reimbursement of antidumping duties prior to liquidation of the relevant entries during this POR. Failure to comply with this requirement could result in Commerce's presumption that reimbursement of antidumping duties occurred and the subsequent assessment of double antidumping duties.

#### Notification to Interested Parties Regarding Administrative Protective Order

This notice also serves as a reminder to parties subject to administrative protective order (APO) of their responsibility concerning the destruction or return of proprietary information disclosed under APO in accordance with 19 CFR 351.305(a)(3), which continues to govern business proprietary information in this segment of the proceeding. Timely written notification of the destruction or return of APO materials or conversion to judicial protective order is hereby requested. Failure to comply with the regulations and terms of an APO is a sanctionable violation.

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<sup>8</sup> See *Order*, 82 FR at 27229.

We are issuing and publishing this notice in accordance with sections 751(a)(1) and 777(i)(1) of the Act and 19 CFR 351.221(b)(5).

Dated: December 30, 2021.

**Ryan Majerus,**

*Deputy Assistant Secretary*

*for Policy and Negotiations,*

*performing the non-exclusive functions and duties of the*

*Assistant Secretary for Enforcement and Compliance.*

## **Appendix**

### **List of Topics Discussed in the Issues and Decision Memorandum**

- I. Summary
- II. Background
- III. Scope of the *Order*
- IV. Discussion of the Issues
  - Comment 1: Currency of Imputed Credit Expenses
  - Comment 2: Scrap Offset
  - Comment 3: Differential Pricing Methodology
  - Comment 4: Marine Insurance Currency
  - Comment 5: Rounding of General and Administrative Expenses Ratio
- V. Recommendation

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